

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/797,876
Applicants: Dip et al.
Art Unit: 2811
Examiner: Matthews, Colleen Ann
Title: **SILICON GERMANIUM SURFACE LAYER FOR HIGH-K
DIELECTRIC INTEGRATION**
Attorney Docket: TPS-007
Confirmation No.: 5070

September 10, 2009

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed June 10, 2009, finally rejecting claims 1-8, 10-11, 13-20, and 26-28.

The item(s) checked below are appropriate:

- ☐ 1. A Petition and Fee for Extension of Time for reply to the Final Rejection is attached.
- ☒ 2. Appeal Fee
- ☒ Other than a small entity Fee: \$540
- ☐ Small entity Fee:
- ☒ 3. Payment
- ☐ Check attached for the sum of \$.
- ☐ Please charge Deposit Account No. 23-3000 in the sum of \$.
- ☒ Payment of all charges due for this filing is made on the attached Electronic Fee Sheet.

- X 4. If any additional fee for extension or appeal is required, or if any overpayment is made, either charge or credit Deposit Account No. 23 - 3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: /Kevin E. Kuehn/
Kevin E. Kuehn, Reg. No. 51,904